

PROB 12C
(7/93)

UNITED STATES DISTRICT COURT

FILED

for

JUL 24 2020

WESTERN DISTRICT OF TEXAS

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY [Signature]
DEPUTY CLERK

Petition for Warrant or Summons for Offender Under Supervision

(M-20-2827-M)

Name of Offender: Alberto Lopez-Perez Case Number: DR:18-CR-00560 (1)

Name of Sentencing Judicial Officer: Senior United States District Judge, Ivan L. R. Lemelle

Date of Original Sentence: March 27, 2019

Original Offense: Illegal Re-Entry into the United States. 8 U.S.C. § 1326

Original Sentence: Twenty-one (21) months, followed by a three (3) year term of supervised release (TSR)

Type of Supervision: Supervised Release Date Supervision Commenced: April 27, 2020

Assistant U.S. Attorney: Shane Austin Chriesman Defense Attorney: John J. Stickney (AFPD)

PREVIOUS COURT ACTION

None.

A true copy of the original, I certify.
Clerk, U.S. District Court

PETITIONING THE COURT

By [Signature]
Deputy Clerk

☒ To issue a WARRANT

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1.	Mandatory Condition No. 1: The defendant shall not commit another federal, state, or local crime during the term of supervision.
2.	Standard Condition No. 17: If the defendant is excluded, deported, or removed upon release on probation or supervised release, the term of supervision shall be a non-reporting term of probation or supervised release. The defendant shall not illegally reenter the United States. If the defendant is released from confinement or not deported, or lawfully re-enters the United States during the term of probation or supervised release, the defendant shall immediately report in person to the nearest U.S. Probation Office, or as ordered by the Court.

The offender was released to the custody of the United States Immigration and Customs Enforcement, and was deported from the United States to Mexico, through Laredo, Texas, on May 14, 2020. On or about May 25, 2020, Alberto Lopez-Perez, an alien and citizen of Mexico, was found in the United States after having been previously denied admission,

excluded, deported or removed from the United States, and the offender had not received the consent of the Attorney General of the United States or the Secretary of the Department of Homeland Security, the successor for this function pursuant to 6 U.S.C. §§ 202(3), 202(4), & 557, to reapply for admission, and being voluntarily in the United States, in violation of 8 U.S.C. § 1326 (a) & (b)(1)/(2).

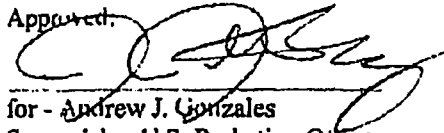
On or about May 25, 2020, the offender was arrested by Customs and Border Protection officers at the Hidalgo Port of Entry, in Hidalgo, Texas, for being an alien illegally in the United States. An Indictment was filed on June 16, 2020, in the United States District Court, McAllen Division, under Docket Number 7:20-CR-01019. The offender remains in federal custody awaiting further Court proceedings.

U.S. Probation Officer Recommendation:

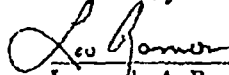
The term of supervision should be:

- ☒ revoked. (Maximum penalty: 2 years imprisonment; 3 years supervised release; and payment of any unsatisfied monetary sanction previously imposed)
- ☐ extended for _____ years for a total term of _____ years
- ☐ The conditions of supervision should be modified as follows: _____

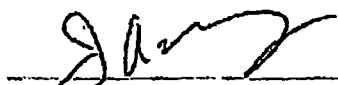
Approved:


for - Andrew J. Gonzales
Supervising U.S. Probation Officer

Respectfully Submitted,


Leonardo A. Ramos
U.S. Probation Officer
Date: July 20, 2020
Telephone #: (830) 308-6149

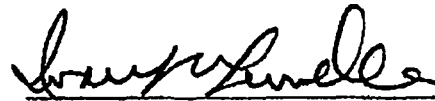
Approved:


Jody-Ann E. Gilzene
Supervisory Assistant U.S. Attorney

cc: Javier Cenicerros
Assistant Deputy Chief U.S. Probation Officer

THE COURT ORDERS:

- ☐ No action.
- ☒ The issuance of a WARRANT. Bond is set in the amount of \$ DETAIN cash/surety with supervision by the United States Probation Office to continue as a condition of release.
- ☐ The issuance of a SUMMONS.
- ☐ Other _____
-



Honorable Ivan L. R. Lemelle
Senior U.S. District Judge

7/23/20

Date
